

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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JADE S. WHITE,

Civil Action No.:

Plaintiff,

**NOTICE OF REMOVAL**

v.

MELVIN DIAZ, MD TRANSPORT, LLC,  
ABC COMPANIES (1-10), (names being  
fictitious) and JOHN DOES 1-10 (names being  
fictitious),

Defendants.

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Petitioners, MELVIN DIAZ and MD TRANSPORT, LLC, referred herein as defendants in the above entitled action, by their attorneys, TRAUB LIEBERMAN STRAUS & SHREWSBERRY LLP, respectfully shows this Court:

1. The Petitioners are named defendants in the instant action.
2. This action was commenced by the filing of a Complaint in the Essex County Superior Court of New Jersey, on June 29, 2020. Annexed hereto as **Exhibit "A"** is a copy of this pleading.
3. Respondent/Plaintiff in the above captioned matter claims to have sustained personal injuries as a result of motor vehicle accident with Petitioners that occurred on or about November 4, 2019. See, **Exhibit "A"**.
4. The Summons and Complaint were served on Petitioner, Melvin Diaz, on June 30, 2020. See, **Exhibit "B."**
5. The Summons and Complaint were served on Petitioner, MD Transport, LLC, on July 7, 2020. See, **Exhibit "C."**

6. On September 24, 2020, counsel for plaintiff sent a copy of the Summons and Complaint and Proof of Service to Petitioners' insurance company. See, **Exhibit "D."**

7. The injuries alleged by Respondent/Plaintiff were unknown, and the matter was referred to the undersigned on October 1, 2020.

8. On October 7, 2020, the undersigned spoke with counsel for plaintiff and learned that plaintiff will claim spinal herniations, and that she was still undergoing treatment.

9. At that time, the undersigned requested a settlement demand and counsel advised that he could not provide the same since plaintiff was still treating.

10. On October 8, 2020, the undersigned served a Request for Statement of Damages on counsel for plaintiff. See, **Exhibit "E."**

11. Counsel for plaintiff responded that they could not provide a demand since plaintiff was still treating.

12. Following up regarding Petitioners' Request for Statement of Damages, on October 14, 2020, Respondent's counsel responded "As previously indicated, plaintiff continues active medical treatment. Plaintiff's demand, without prejudice is \$500,000." See, **Exhibit "F."**

13. Therefore, the amount in controversy claimed by plaintiff in this matter is in excess of \$75,000.00, exclusive of interest and costs. See also, 28 U.S.C. 1332(a) and 1446(b).

14. Respondent/Plaintiff is a resident of the State of New Jersey.

15. Petitioner, Melvin Diaz, a resident of the State of Connecticut.

16. Petitioner, MD Transport, LLC, has its principal place of business in the State of Connecticut, and its sole member is Petitioner, Melvin Diaz, a resident of the State of Connecticut.

17. There are no parties to this action which can be ascertained at this time who are believed to reside in New Jersey, other than Plaintiff.

18. This Court has original jurisdiction of this civil action pursuant 28 USC §1332 because there is complete diversity in the matter.

19. Based on the foregoing, this matter is ripe for removal based on diversity of citizenship and amount in controversy in excess of \$75,000.00.

20. On October 19, 2020, an Answer was filed on behalf of my clients in the Superior Court of New Jersey, Essex County. See, **Exhibit “G.”**

WHEREFORE, Petitioner prays that the instant action now pending before the Superior Court of New Jersey, Essex County, be removed therefrom to the United States District Court for the District of New Jersey and for such other and further relief as this Court deems just and proper.

Dated: October 20, 2020

TRAUB LIEBERMAN STRAUS &  
SHREWSBERRY LLP

By: 

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